

**REMARKS**

This Response, submitted in response to the Office Action dated June 16, 2008, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1, 5-10 and 21-29 are all the claims pending in the application. Applicant thanks the Examiner for indicating that claims 1, 5-10, 21 and 24-26 are allowed. Claims 22, 23 and 27-29 stand rejected.

**Claim Rejections - 35 USC § 102**

Claim 22 is rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Funada et al (US 4,705,360, hereinafter “Funada”). Applicant respectfully traverses the Examiner’s rejection.

Applicant respectfully submits that Funada fails to disclose “a depression which receives excess liquid crystal from the liquid crystal layer so that the gap between the first substrate and the second substrate is substantially uniform in the display region”. Between the sealing agent 7 and the ends of the orientating film 5, liquid crystal 8 is disposed. There is no presence of a depression for excess liquid. Furthermore, even assuming arguendo that there is a depression between the sealing member 7 and the ends of the orientation film 5, the alleged depression is filled with liquid crystal 8. Therefore, Funada does not disclose depression that is substantially vacant except for the excess liquid crystal. Furthermore, Applicant respectfully requests that the Examiner to point to where such features are disclosed in Funada. Accordingly for *at least* these

reasons, Funada fails to anticipate all the features as presented in claim 22. Applicant respectfully requests that the rejection of claim 22 be reconsidered and withdrawn.

**Claim Rejections - 35 USC § 103**

Claims 27-29 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Funada in view of Yanagawa et al. (U.S. 2002/0075442, hereinafter “Yanagawa”). Yanagawa does not make up for the deficiencies of Funada with respect to claim 22. Therefore, Applicant asserts that 27-29 are allowable at least by virtue of their dependency on independent claim 22.

Claim 23 is rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Funada in view of Yanagawa, further in view of Kijima et al. (US 6,259,500, hereinafter “Kijima”). Kijima does not make up for the deficiencies of the primary combination with respect to claim 22. Therefore, Applicant asserts that claim 23 is allowable at least by virtue of its dependency on independent claim 22.

Applicant respectfully request the § 103 (a) rejections be reconsidered and withdrawn.

**Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Laura Moskowitz/

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**23373**

CUSTOMER NUMBER

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